

FISCAL NOTE

HB 201 - SB 414

March 27, 2003

SUMMARY OF BILL: Enacts the *Tennessee Voting Reform Act*. The bill provides for the following:

- Establishes a voter's bill of rights which shall be posted at each polling place and distributed to voters with sample ballots at each polling place.
- Requires the Coordinator of Elections to develop and maintain a statewide, online voter registration database to be used by all county election commissions.
- A violation of a voter's rights would be a Class A misdemeanor, punishable by up to one year in prison, or a fine up to \$10,000, or both.
- Establishes a permanent nine-member state commission known as the Election Review Commission which shall conduct a study of the Coordinator of Elections following each election. The Commission would examine and evaluate state election laws, regulations, and past elections to determine which practices and proposals would increase voter participation and improve the state election system. The Commission would report its findings and recommendations to the General Assembly by February 1 following each general election.
- Effective January 1, 2004, the Coordinator of Elections and the State Election Commission shall only approve the use of electronic devices which directly record voters' choices or optical scanning devices which scan voters' marked paper ballots at each polling place.
- Requires the Coordinator of Elections to develop a training seminar to be conducted by the county election commissions for precinct election officials.
- Requires the Coordinator of Elections to create a uniform polling place procedures manual and adopt regulations prescribing minimum standards for nonpartisan voter education to implemented by each county election commission, and conduct additional nonpartisan education efforts as necessary.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Not Significant

Increase Local Govt. Expenditures* - Exceeds \$29,000,000 One-Time

Increase Local Govt. Revenues - Not Significant

Estimate assumes:

- Any costs incurred by the Coordinator of Elections in fulfilling the requirements of the bill is estimated to be not significant.

- All counties currently not using electronic devices or optical scanning devices to record votes would purchase touch screen Direct Recording Equipment (DRE).
- An estimated 1690 precincts would be required to replace voting equipment. On average, each precinct would need 3.5 machines and each machine would cost approximately \$5,000. Therefore, it is estimated that the one-time cost to local governments would be at least \$29,575,000.
- In addition, the impact depends upon the number of persons convicted of this offense and the resulting increased cost to local governments to confine such persons versus the increased revenues to local governments from fines levied and collected under the provisions of this bill.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director